

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 6,941,963

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Application No. 10/609,134

Filed: June 26, 2003

For: **High-Speed Diaphragm Valve For Atomic Layer Deposition**

Examiner: Kevin Lee

TERMINAL DISCLAIMER

UNDER 35 U.S.C. § 253, SECOND PARAGRAPH AND 37 C.F.R. § 1.321(a)

TO THE COMMISSIONER FOR PATENTS:

The owner, Planar Systems, Inc., of the entire interest in U.S. Patent No. 6,941,963 hereby disclaims, except as provided below, the terminal part of the statutory term of U.S. Patent No. 6,941,963, which terminal part would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,907,897. The owner hereby agrees that U.S. Patent No. 6,941,963 shall be enforceable only for and during such period that it and the prior patent, U.S. Patent No. 6,907,897, are commonly owned. This agreement runs with U.S. Patent No. 6,941,963 and is binding upon the owner, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of U.S. Patent No. 6,941,963 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, U.S. Patent No. 6,907,897, as presently shortened by any terminal disclaimer, in the event that it later expires: for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims

canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The fee set forth in 37 C.F.R. § 1.20(d) accompanies this terminal disclaimer.

Evidence that Planar Systems, Inc. owns the entire interest of U.S. Patent No. 6,941,963 is found in the assignment recorded at reel 014697 and frame 0811 in the U.S. Patent and Trademark Office's assignment records. Evidence that Planar Systems, Inc. owns the entire interest of U.S. Patent No. 6,907,897 is found in the assignment recorded at reel 014697 and frame 0803 in the U.S. Patent and Trademark Office's assignment records. The undersigned is an officer of Planar Systems, Inc., and is empowered to act on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of U.S. Patent No. 6,941,963.

By: 

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